

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**EUGENE WRIGHT**

**PLAINTIFF**

**v.**

**No. 4:04CV204-P-A**

**RICHARD PENNINGTON, ET AL.**

**DEFENDANTS**

**ORDER**

This matter comes before the court on the plaintiff's February 7, 2005, motion to extend the deadline to file a motion for reconsideration, as well as the plaintiff's April 8, 2005, motion for relief from judgment.

As an initial matter, the court has already accepted the plaintiff's motion for relief from judgment; as such, the plaintiff's motion for time is hereby **GRANTED**. The court interprets the plaintiff's motion for relief from judgment, using the liberal standard for *pro se* litigants set forth in *Haines v. Kerner*, 404 U.S. 519 (1972), as a motion for relief from a judgment or order under FED. R. CIV. P. 60. An order granting relief under Rule 60 must be based upon: (1) clerical mistakes, (2) mistake, inadvertence, surprise, or excusable neglect, (3) newly discovered evidence, (4) fraud or other misconduct of an adverse party, (5) a void judgment, or (6) any other reason justifying relief from the operation of the order. The court finds the plaintiff has neither asserted nor proven any of the specific justifications for relief from an order permitted under Rule 60; the court finds further that the plaintiff has not presented "any other reason justifying relief from the operation" of the judgment. As such, the plaintiff's request for reconsideration is

**DENIED**

**SO ORDERED**, this the 26<sup>th</sup> day of July, 2005.

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/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE